

REMARKS

This Amendment is submitted in response to the Office Action dated July 6, 2006. In the Office Action, the Patent Office rejected Claims 1-3, 7-12 and 14-18 under 35 U.S.C. §103(a) as being unpatentable over *Vella* (U.S. Patent Pub. No. 2005/005921) in view of *Zinbarg* (U.S. Patent No. 5,943,803). Further, the Patent Office rejected Claim 17 under 35 U.S.C. §103(a) as being unpatentable over *Vella* in view of *Zinbarg* as applied to Claim 15, and further in view of *Marshall et al.* (U.S. Patent No. 5,503,891). Still further, the Patent Office rejected Claims 4-6, 13, 19 and 20 under 35 U.S.C. §103(a) as being unpatentable over *Vella* in view of *Zinbarg* as applied to Claims 1, 10 and 15, and further in view of *Blyden et al.* (U.S. Patent No. 6,217,958). The Patent Office alleged that arguments made with respect to Claims 1, 10 and 14 in the Response dated April 7, 2006 are moot in view of the new grounds of rejection.

By the present Amendment, Applicant amended Claims 1, 4, 9, 10, 15 and 17. Applicant asserts that the amendment to independent Claims 1, 10 and 15 and to dependent Claim 17 overcome the rejections made by the Patent Office and place the application in condition for allowance. Notice to that effect is requested.

With respect to the rejection of Claims 1-3, 7-12 and 14-18 under 35 U.S.C. §103(a) as being unpatentable over *Vella* in view of *Zinbarg*, Applicant amended independent Claims 1, 10 and 15.

Applicant submits that the rejection has been overcome in view of the foregoing amendments and the remarks that follow.

In the Office Action, the Patent Office alleges:

With respect to Claims 1, 2 and 10, *Vella* teaches a plurality of magnetic garage door pad. (Figure 1a) The pad comprises a first sheet 20 having a first planar side 30 and a second planar side 40 wherein the first planar side is oppositely juxtaposed to the second planar side, wherein the first planar side is a magnetic layer to removably attach first sheet to the garage door panel. The first planar side 30 has a first thickness defined between a top surface and a bottom surface of the first planar side 30. The second planar side 40 has a second thickness defined between a front surface and a rear surface of the second planar side wherein the rear surface is adjacent to the top surface. *Vella* also teaches the first thickness (the thickness of the magnetic side 30) is greater than the second thickness (the thickness of the intermediate layer 40). Figure 4. In addition, *Vella* teaches the second side having graphical representation 50 and a protective coating 60 over the graphical representation.

Vella does not teach the plurality of pad aligned to create an image that encompass more than one of the garage door panels.

Zinbarg teaches a garage door cover comprising a plurality of covers adapted to adhesively cover the entire surface of each garage door panel. Wherein each cover has a portion of an image such that when placed on the panels of the garage door a composite image is presented. (figure 1)

Since *Vella* teaches pad can be cut to a user-defined shape and size, it would have been obvious to one having ordinary skill in the art at the time this inventions was made to provide a plurality of magnetic pad taught by *Vella* with the magnetic pad cut into long strips as taught by *Zinbarg* to provide a means to cover the entire surface area of each panel of a garage door or to convey a desired message.

With respect to Claims 3, 7, 14 and 18, *Vella* teaches a protective layer 60.

With respect to Claims 8, 9, 11 and 16, both *Vella* and *Zinbarg* teaches indicia or graphics on the panels. Since textual indicia do not have an unobvious functional relationship with the panel, it appears using any

suitable indicia would perform equally well in conveying a desired message. It would have been obvious at the time this invention was made to place whatever desired indicia on the panel to convey a desired message.

With respect to Claim 15, Zinbarg teaches providing a garage door having a plurality of panel, providing a sheet with graphic or indicia thereon, cutting the sheet to the size of each garage door panel and attaching the cut sheet to the panels.

Independent Claim 1, as amended, requires a magnetic cover assembly for mounting on two or more garage door panels having a first sheet having a first planar side and a second planar side. The first planar side of the first sheet is oppositely juxtaposed to the second planar side of the first sheet. Further, the first planar side of the first sheet is attached to the second planar side of the first sheet with a bonding layer. Still further, the first planar side of the first sheet is a first magnetic layer to removably and magnetically attach the first sheet to a first garage door panel. Moreover, independent Claim 1, as amended, requires a second sheet having a first planar side and a second planar side. The first planar side of the second sheet is oppositely juxtaposed to the second planar side of the second sheet wherein the first planar side of the second sheet is a second magnetic layer to removably and magnetically attach the second sheet to a second garage door panel.

Independent Claim 10, as amended, requires a decorative display system for a door having a plurality of door panels. Further, independent Claim 10, as amended, requires a plurality of magnetic sheets. Each of the plurality of sheets has a front side

and a backside, and the front side is opposite to the backside. The front side is attached to the backside with a bonding layer, and the backside removably and magnetically attaches to the plurality of door panels.

Independent Claim 15, as amended, requires a method for decorating a garage door wherein the garage door is divided into garage door panels. Each of the garage door panels has a surface area defined by a length of the garage door panel and a width of the garage door panel. The length of the garage door panel is defined between a first end and a second end and the width of the garage door panel is defined between a top end and a bottom end. The method of independent Claim 15, as amended, requires the step of printing the plurality of segmented images on a corresponding plurality of magnetic sheets having a magnetic backing. The plurality of magnetic sheets have front sides that receive the plurality of segmented images. The plurality of magnetic sheets are sized to attach the plurality of magnetic sheets with the magnetic backing to a majority of the surface area of each of the garage door panels. Further, the method of independent Claim 15, as amended, requires the step of removably and magnetically attaching each of the magnetic sheets to a corresponding one of each of the garage door panels to form the decorative design. The plurality of magnetic sheets extend from a first edge positioned at the first end of the garage panel to a second edge positioned at

the second end of the garage panel.

Contrary to the assertions of the Patent Office, *Vella* merely teaches a magnetic pad that displays graphic representation of a window or a door. In addition, *Zinbarg* merely teaches a garage door decorative cover with fixing members to couple the panel to a garage door panel.

With respect to independent Claim 1, clearly, neither *Vella* nor *Zinbarg*, taken singly or in combination, teaches or suggests that the first planar side of the first sheet is attached to the second planar side of the first sheet with a bonding layer as required by independent Claim 1, as amended. Further, neither *Vella* nor *Zinbarg*, taken singly or in combination, teaches or suggests that the first planar side of the first sheet is a first magnetic layer to removably and magnetically attach the first sheet to a first garage door panel as required by independent Claim 1, as amended. Moreover, neither *Vella* nor *Zinbarg*, taken singly or in combination, teaches or suggests that the first planar side of the second sheet is a second magnetic layer to removably and magnetically attach the second sheet to a second garage door panel required by independent Claim 1, as amended. *Vella* merely teaches a magnetic pad having a sheet 20. The sheet 20 has a first side having a magnetic material 30 and a second side 40. The second side 40 displays a graphic representation 50, and the graphic representation is chosen from a window or a door. *Zinbarg* merely

teaches that fixing means 44 are provided for coupling each cover panel 42, 34, 36, 38 to the outer surface 24, 26, 28, 30 of respective garage door panels 14, 16, 18, 20. Further, each fixing means 44 (and a plurality of spaced-apart fixing means may be used) is preferably a piece of removable, non-marring, double-sided foam tape. With respect to each of the fixing means 44, fixing means 44 are positioned to the outer surface 24 of a first garage door panel 32 at the lateral sides of the garage door panel 32.

Therefore, nowhere do *Vella* or *Zinbarg*, taken singly or in combination, teach or suggest that the first planar side of the first sheet is attached to the second planar side of the first sheet with a bonding layer as required by independent Claim 1, as amended. Further, nowhere do *Vella* or *Zinbarg*, taken singly or in combination, teach or suggest that the first planar side of the first sheet is a first magnetic layer to removably and magnetically attach the first sheet to a first garage door panel as required by independent Claim 1, as amended. Moreover, nowhere do *Vella* or *Zinbarg*, taken singly or in combination, teach or suggest that the first planar side of the second sheet is a second magnetic layer to removably and magnetically attach the second sheet to a second garage door panel required by independent Claim 1, as amended.

With respect to independent Claim 10, clearly, neither *Vella* nor *Zinbarg*, taken singly or in combination, teaches or suggests a plurality of magnetic sheets wherein each of the plurality of

sheets has a front side and a backside as required by independent Claim 10, as amended. Further, neither *Vella* nor *Zinbarg*, taken singly or in combination, teaches or suggests that the front side is attached to the backside with a bonding layer, and the backside removably and magnetically attaches to the plurality of door panels as required by independent Claim 10, as amended. *Vella* merely teaches a magnetic pad having a sheet 20. The sheet 20 has a first side having a magnetic material 30 and a second side 40. The second side 40 displays a graphic representation 50, and the graphic representation is chosen from a window or a door. The Patent Office admits that "*Vella* does not teach the plurality of pads aligned to create an image that encompass more than one of the garage door panels". *Zinbarg* merely teaches that fixing means 44 are provided for coupling each cover panel 42, 34, 36, 38 to the outer surface 24, 26, 28, 30 of respective garage door panels 14, 16, 18, 20. Further, each fixing means 44 (and a plurality of spaced-apart fixing means may be used) is preferably a piece of removable, non-marring, double-sided foam tape. With respect to each of the fixing means 44, fixing means 44 are positioned to the outer surface 24 of a first garage door panel 32 at the lateral sides of the garage door panel 32.

Therefore, nowhere do *Vella* or *Zinbarg*, taken singly or in combination, teach or suggest a plurality of magnetic sheets wherein each of the plurality of sheets has a front side and a

backside as required by independent Claim 10, as amended. Further, nowhere do *Vella* or *Zinbarg*, taken singly or in combination, teach or suggest that the front side is attached to the backside with a bonding layer, and the backside removably and magnetically attaches to the plurality of door panels as required by independent Claim 10, as amended.

With respect to independent Claim 15, clearly, neither *Vella* nor *Zinbarg*, taken singly or in combination, teaches or suggests the step of printing the plurality of segmented images on a corresponding plurality of magnetic sheets having a magnetic backing as required by independent Claim 15, as amended. Further, neither *Vella* nor *Zinbarg*, taken singly or in combination, teaches or suggests that the plurality of magnetic sheets have front sides that receive the plurality of segmented images as required by independent Claim 15, as amended. Still further, neither *Vella* nor *Zinbarg*, taken singly or in combination, teaches or suggests that the plurality of magnetic sheets are sized to attach the plurality of magnetic sheets with the magnetic backing to a majority of the surface area of each of the garage door panels as required by independent Claim 15, as amended. Still further, neither *Vella* nor *Zinbarg*, taken singly or in combination, teaches or suggests the step of removably and magnetically attaching each of the magnetic sheets to a corresponding one of each of the garage door panels to form the decorative design as required by independent Claim 15, as

amended. *Vella* merely teaches a magnetic pad having a sheet 20. The sheet 20 has a first side having a magnetic material 30 and a second side 40. The second side 40 displays a graphic representation 50, and the graphic representation is chosen from a window or a door. The Patent Office admits that "*Vella* does not teach the plurality of pads aligned to create an image that encompass more than one of the garage door panels". *Zinbarg* merely teaches that fixing means 44 are provided for coupling each cover panel 42, 34, 36, 38 to the outer surface 24, 26, 28, 30 of respective garage door panels 14, 16, 18, 20. Further, each fixing means 44 (and a plurality of spaced-apart fixing means may be used) is preferably a piece of removable, non-marring, double-sided foam tape. With respect to each of the fixing means 44, fixing means 44 are positioned to the outer surface 24 of a first garage door panel 32 at the lateral sides of the garage door panel 32.

Therefore, nowhere do *Vella* or *Zinbarg*, taken singly or in combination, teach or suggest the step of printing the plurality of segmented images on a corresponding plurality of magnetic sheets having a magnetic backing as required by independent Claim 15, as amended. Further, nowhere do *Vella* or *Zinbarg*, taken singly or in combination, teach or suggest that the plurality of magnetic sheets have front sides that receive the plurality of segmented images as required by independent Claim 15, as amended. Still further, nowhere do *Vella* or *Zinbarg*, taken singly or in combination, teach

or suggest that the plurality of magnetic sheets are sized to attach the plurality of magnetic sheets with the magnetic backing to a majority of the surface area of each of the garage door panels as required by independent Claim 15, as amended. Still further, nowhere do *Vella* or *Zinbarg*, taken singly or in combination, teach or suggest the step of removably and magnetically attaching each of the magnetic sheets to a corresponding one of each of the garage door panels to form the decorative design as required by independent Claim 15, as amended.

Moreover, a person of ordinary skill in the art would never have been motivated to combine *Vella* with *Zinbarg* in the manner suggested by the Patent Office in formulating the rejection under 35 U.S.C. §103(a). Applicant submits that the Patent Office is merely "piece-mealing" references together, providing various teachings and positively defined limitations of Applicant's assembly, system and method to deprecate the claimed invention. Of course, hindsight reconstruction of Applicant's invention is impermissible.

With the analysis of the deficiencies of *Vella* and *Zinbarg* in mind, no reason or suggestion in the evidence of record exists why one of ordinary skill in the art would have been led to combine *Vella* and *Zinbarg* in the manner suggested by the Patent Office in formulating the rejection under 35 U.S.C. §103(a). Therefore, *prima facie* obviousness has not been established by the Patent

Office as required under 35 U.S.C. §103(a).

It is submitted that the question under §103 is whether the totality of the art would collectively suggest the claimed invention to one of ordinary skill in this art. In re Simon, 461 F.2d 1387, 174 USPQ 114 (CCPA 1972).

Applicant further submits that one having ordinary skill in the art at the time of Applicant's invention would never have been motivated to modify *Vella* with *Zinbarg* in the manner suggested by the Patent Office in formulating the rejection under 35 U.S.C. §103(a).

That elements, even distinguishing elements, are disclosed in the art is alone insufficient. It is common to find elements somewhere in the art. Moreover, most, if not all, elements perform their ordained and expected functions. The test is whether the invention as a whole, in light of all the teachings of the references in their entireties, would have been obvious to one of ordinary skill in the art at the time the invention was made. *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1545, 220 USPQ 193 (Fed. Cir. 1983).

Applicant submits that the Patent Office has merely located components of Applicant's claimed invention. However, that the art disclosed components of Applicant's claimed invention, either separately or used in other combinations, is insufficient. A teaching, suggestion, or incentive must exist to make the

combination made by Applicant. *Interconnect Planning Corp. v. Feil*, 774 F. 2d 1132, 1143, 227 USPQ 543, 551 (Fed. Cir. 1988).

Even assuming that one having ordinary skill in the art could somehow have combined *Vella* and *Zinbarg* as set forth by the Patent Office, the resultant combination still lacks the novel elements and steps positively recited in independent Claims 1, 10 and 15, respectively. Further, *Vella* or *Zinbarg*, taken singly or in combination, do not teach or suggest that the first planar side of the first sheet is attached to the second planar side of the first sheet with a bonding layer as required by independent Claim 1, as amended. Further, *Vella* or *Zinbarg*, taken singly or in combination, do not teach or suggest that the first planar side of the first sheet is a first magnetic layer to removably and magnetically attach the first sheet to a first garage door panel as required by independent Claim 1, as amended. Moreover, *Vella* or *Zinbarg*, taken singly or in combination, do not teach or suggest that the first planar side of the second sheet is a second magnetic layer to removably and magnetically attach the second sheet to a second garage door panel as required by independent Claim 1, as amended. Still further, *Vella* or *Zinbarg*, taken singly or in combination, do not teach or suggest a plurality of magnetic sheets wherein each of the plurality of sheets has a front side and a backside as required by independent Claim 10, as amended. Further, *Vella* or *Zinbarg*, taken singly or in combination, do not teach or

suggest that the front side is attached to the backside with a bonding layer, and the backside removably and magnetically attaches to the plurality of door panels as required by independent Claim 10, as amended. Still further, *Vella* or *Zinbarg*, taken singly or in combination, do not teach or suggest the step of printing the plurality of segmented images on a corresponding plurality of magnetic sheets having a magnetic backing as required by independent Claim 15, as amended. Still further, *Vella* or *Zinbarg*, taken singly or in combination, do not teach or suggest that the plurality of magnetic sheets have front sides that receive the plurality of segmented images as required by independent Claim 15, as amended. Still further, *Vella* or *Zinbarg*, taken singly or in combination, do not teach or suggest that the plurality of magnetic sheets are sized to attach the plurality of magnetic sheets with the magnetic backing to a majority of the surface area of each of the garage door panels as required by independent Claim 15, as amended. Still further, *Vella* or *Zinbarg*, taken singly or in combination, do not teach or suggest the step of removably and magnetically attaching each of the magnetic sheets to a corresponding one of each of the garage door panels to form the decorative design as required by independent Claim 15, as amended.

In view of the foregoing remarks and amendments, Applicant respectfully submits that the rejection of Claims 1-3, 7-12 and 14-18 under 35 U.S.C. §103(a) as being unpatentable over *Vella* in view

of *Zinbarg* has been overcome and should be withdrawn. Notice to that effect is requested.

Claims 2, 3 and 7-9 depend from independent Claim 1; Claims 11, 12 and 14 depend from independent Claim 10; and Claims 16-18 depend from independent Claim 15. These claims are further believed allowable over the references of record for the same reasons set forth above with respect to their parent claims since each sets forth additional novel elements and/or steps of Applicant's assembly, system and method, respectively.

With respect to the rejection of Claim 17 under 35 U.S.C. §103(a) as being unpatentable over *Vella* in view of *Zinbarg* as applied to Claim 15 above and further in view of *Marshall et al.*, Applicant amended independent Claim 15 and dependent Claim 17. Applicant submits that the rejection has been overcome in view of the foregoing amendments and the remarks that follow.

In the Office Action, the Patent Office alleges:

Marshall teaches a flexible magnetic mat comprising a magnetic surface 14 and a display surface laminated to the magnetic surface. See column 2, lines 40-62.

It would have been obvious to one having ordinary skill in the art at the time this invention was made to construct the magnetic and display sheet taught by *Vella* laminated together as taught by *Marshall* to provide a means to permanently secure the sheets together.

Claim 17, as amended, requires the step of laminating a protective layer to the front sides of the plurality of magnetic sheets. *Marshall et al.* fail to teach or to suggest the steps of

the present invention which are not taught by *Vella* and *Zinbarg*, taken singly or in combination, as required by amended independent Claim 15 from which Claim 17 depends. Accordingly, the rejection of Claim 17 under 35 U.S.C. §103(a) has been overcome and should be withdrawn. Notice to that effect is requested.

With respect to the rejection of Claims 4-6, 13, 19 and 20 under 35 U.S.C. §103(a) as being unpatentable over *Vella* in view of *Zinbarg* as applied to Claims 1, 10 and 15 above and further in view of *Blyden et al.*, Applicant amended independent Claims 1, 10 and 15. Applicant submits that the rejection has been overcome in view of the foregoing amendments and the remarks that follow.

In the Office Action, the Patent Office alleges:

Blyden teaches a magnetic sign 1 having a magnetic layer 8 and a weather resistant first layer 3 with a ink or printed design thereon. Column 3, lines 1-18. The design can be a vinyl paint, illumined paint, reflective paint or photographic pictures. See column 4, lines 33-42.

It would have been obvious to one having ordinary skill in the art at the time this invention was made to construct the magnetic garage door pad taught by *Vella* and *Zinbarg* with reflective and/or illuminated paint as taught by *Blyden* to provide a means to increase the visibility of the pad.

Claim 4, as amended, requires a light emitting material to attach to the second planar side of the first sheet. *Blyden et al.* fail to teach or to suggest the elements of the present invention which are not taught by *Vella* and *Zinbarg*, taken singly or in combination, as required by amended independent Claim 1 from which

Claim 4 depends. Accordingly, the rejection of Claim 4 under 35 U.S.C. §103(a) has been overcome and should be withdrawn. Notice to that effect is requested.

Claim 5 requires a light reflective layer to attach to the second planar side of the first sheet. *Blyden et al.* fail to teach or to suggest the elements of the present invention which are not taught by *Vella* and *Zinbarg*, taken singly or in combination, as required by amended independent Claim 1 from which Claim 5 depends. Accordingly, the rejection of Claim 5 under 35 U.S.C. §103(a) has been overcome and should be withdrawn. Notice to that effect is requested.

Claim 6 requires a light reflective layer to attach to the image. *Blyden et al.* fail to teach or to suggest the elements of the present invention which are not taught by *Vella* and *Zinbarg*, taken singly or in combination, as required by amended independent Claim 1 from which Claim 6 depends. Accordingly, the rejection of Claim 6 under 35 U.S.C. §103(a) has been overcome and should be withdrawn. Notice to that effect is requested.

Claim 13 requires a protective layer to attach to the front sides of the plurality of magnetic sheets wherein the protective layer is transparent. *Blyden et al.* fail to teach or to suggest the elements of the present invention which are not taught by *Vella* and *Zinbarg*, taken singly or in combination, as required by amended independent Claim 10 from which Claim 13 depends. Accordingly, the

rejection of Claim 13 under 35 U.S.C. §103(a) has been overcome and should be withdrawn. Notice to that effect is requested.


Claim 19 requires the step of attaching a light emitting material to the front sides of the plurality of magnetic sheets wherein the light emitting material illuminates to emit light from the front sides of the plurality of magnetic sheets. *Blyden et al.* fail to teach or to suggest the steps of the present invention which are not taught by *Vella* and *Zinbarg*, taken singly or in combination, as required by amended independent Claim 15 from which Claim 19 depends. Accordingly, the rejection of Claim 19 under 35 U.S.C. §103(a) has been overcome and should be withdrawn. Notice to that effect is requested.

Claim 20 requires the step of attaching a light reflective layer to the front sides of the plurality of magnetic sheets wherein the light reflective layer reflects light from the front sides of the plurality of magnetic sheets. *Blyden et al.* fail to teach or to suggest the steps of the present invention which are not taught by *Vella* and *Zinbarg*, taken singly or in combination, as required by amended independent Claim 15 from which Claim 20 depends. Accordingly, the rejection of Claim 20 under 35 U.S.C. §103(a) has been overcome and should be withdrawn. Notice to that effect is requested.

In view of the foregoing remarks and the amendments, Applicant

respectfully submits that Claims 1-20 of the application are in allowable form and that the application is now in condition for allowance. If any outstanding issues remain, Applicant urges the Patent Office to telephone Applicant's attorney so that the same may be resolved and the application expedited to issue.

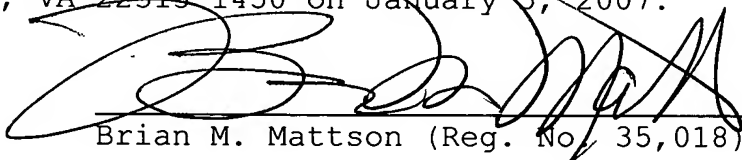
Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this **Amendment, Transmittal (in duplicate)** and **return receipt postcard** are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 5, 2007.


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